



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 17, 1997

Ms. Detra G. Hill  
Assistant City Attorney  
City of Dallas  
Criminal Law and Police Division  
Municipal Building  
Dallas, Texas 75201

OR97-0096

Dear Ms. Hill:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 103043.

The City of Dallas Police Department (the "department"), which your office represents, received a request for "the names and addresses of the parents of [a certain named arrestee]." You assert that the information is excepted from disclosure under section 552.108 of the Government Code. You submitted to this office a copy of the withheld information for our review. We have considered the exception you claim and have reviewed the submissions at issue.

Initially, we note that the request for information is from a state representative. Section 552.008 of the Government Code provides that a governmental body shall provide public information, including confidential information, to a requesting member of the legislature if the requesting member states that the information is requested for legislative purposes. The requesting member in this instance does not state that the information is being requested for legislative purposes. Section 552.008, therefore, is not applicable. Thus, we will address your arguments that the information is excepted from disclosure pursuant to section 552.108 of the Government Code.

Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution." Gov't Code § 552.108; *see Holmes v. Morales*, 924 S.W.2d 920 (Tex. 1996). Since the submitted records come within the purview of section 552.108, we conclude that most of the information at issue may be withheld under this section.

We note, however, that information normally found on the front page of an offense report is generally considered public.<sup>1</sup> *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.—Houston [14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976). Thus, the department must release the types of information that are considered to be front page offense report information. In reviewing the submitted information, we observe what appears to be the arrestee's address, and note that this particular item of information is considered public under Open Records Decision No. 127 (1976). In conclusion, except for front page offense report information, section 552.108 of the Government Code excepts the remaining investigation records from required public disclosure.<sup>2</sup>

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Sam Haddad  
Assistant Attorney General  
Open Records Division

SH/cbh

Ref.: ID# 103043

Enclosures: Submitted documents  
Summary of Open Records Decision No. 127 (1976)

cc: The Honorable Will Hartnett  
Texas House of Representatives  
State Capitol, Room 2.322  
P. O. Box 2910  
Austin, Texas 78768-2910  
(w/ Summary of Open Records Decision No. 127 (1976))

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<sup>1</sup>The content of the information determines whether it must be released in compliance with *Houston Chronicle*, not its literal location on the first page of an offense report. Open Records Decision No. 127 (1976) contains a summary of the types of information deemed public by *Houston Chronicle*. For your convenience, we have attached a list of the types of information the department must release from the submitted offense report.

<sup>2</sup>Although section 552.108 authorizes the department to withhold the remaining information from disclosure, the department may choose to release all or part of the information at issue that is not otherwise confidential by law. See Gov't Code § 552.007.